

RABINOWITZ, LUBETKIN & TULLY, L.L.C.

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Chapter 7 Trustee

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

In re:

JD SCAFFOLD, INC.,

Debtor.

Case No. 14-19391 (RG)

Honorable Rosemary Gambardella

Chapter 7

**NOTICE OF MOTION FOR ORDER AUTHORIZING SALE OF HOIST
EQUIPMENT TO PRO CONSTRUCTION SPECIALTY CORP., SUBJECT
TO HIGHER AND BETTER OFFERS, FREE AND CLEAR OF LIENS,
CLAIMS, AND ENCUMBRANCES PURSUANT TO 11 U.S.C. § 363 AND
WAIVING STAY UNDER FEDERAL RULE OF BANKRUPTCY
PROCEDURE 6004(h) AND APPROVING SETTLEMENT OF CLAIMS TO
PROCEEDS OF SALE BETWEEN TRUSTEE, JERSEY HOIST, INC. AND
TM REAL ESTATE HOLDINGS, LLC**

PLEASE TAKE NOTICE that on the 17th day of February, 2015, at 10:00 a .m. or as soon thereafter as counsel may be heard, Jay L. Lubetkin, Chapter 7 Trustee (the “Trustee”) for JD Scaffold, Inc. (the “Debtor”), by and through his counsel, Rabinowitz, Lubetkin & Tully, L.L.C., shall move before the Honorable Rosemary Gambardella, United States Bankruptcy Judge, at the United States Bankruptcy Court, MLK Jr. Federal Building, Courtroom 3C, 50 Walnut Street, Newark, New Jersey 07102, for the entry of an Order authorizing the sale of a limited portion of the Debtor's assets to Pro Construction Specialty Corp., subject to higher and better offers, free and clear of liens, claims, and encumbrances, and for other related relief.

PLEASE TAKE FURTHER NOTICE that in support of the relief requested, the Trustee shall rely on the annexed Application.

PLEASE TAKE FURTHER NOTICE that in accordance with D.N.J. LBR 9013-1(a) and (d), opposition to the relief requested, and, or cross-motions, if any, shall be filed with the Clerk of the Bankruptcy Court and served upon all parties in interest, or the Motion shall be deemed uncontested.

PLEASE TAKE FURTHER NOTICE that pursuant to D.N.J. LBR 9013-1(k), in the event the Motion is contested, there is a duty to confer to determine whether a consent order may be entered disposing of the Motion or to stipulate to the resolution of as many issues as possible.

PLEASE TAKE FURTHER NOTICE that in accordance with D.N.J. LBR 9013-1(f), the Trustee hereby requests oral argument on these matters if any objection is made to the Motion.

PLEASE TAKE FURTHER NOTICE that in accordance with D.N.J. LBR 9013-1(i), unless the Court authorizes otherwise prior to the return date hereof, no testimony shall be taken at the hearings except by certification or affidavit.

PLEASE TAKE FURTHER NOTICE that in accordance with D.N.J. LBR 9013-2, no brief is being filed in support of these Motion inasmuch as the legal principles involved are not in dispute.

RABINOWITZ, LUBETKIN & TULLY, L.L.C.
Counsel to Jay L. Lubetkin, Chapter 7 Trustee

By: /s/ John J. Harmon

JOHN J. HARMON

DATED: January 22, 2015

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